



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

May 26, 2009

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 809, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and providing effective and retroactive applicability dates. House File 809 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated in Section 1, subsection 1, paragraph c, of this bill which directs departments to keep vehicles longer in order to reduce motor vehicle fleet operation and purchasing costs by 7.5 percent. I agree with the goal of decreasing state fleet costs, and that is one reason I disapprove of this section. Maintaining vehicles beyond their useful lifetime may actually increase fleet costs. I also disapprove this section because it infringes on the authority of the Executive Branch. The Department of Administrative Services is currently implementing new standards to reduce the cost of fleet operations, which will reduce vehicle fleet operations and purchasing costs.

I am unable to approve the item designated in Section 1, subsection 4, of the bill which prohibits the Department of Administrative Services from exceeding the rates set as of January 1, 2009, for services provided solely by the Department of Administrative Services to other Executive Branch agencies or departments. The current rates for some utility functions are artificially low due to use of other funds to cover expenses. These funds are now depleted and keeping the rates at the current level will harm the Department of Administrative Services' capacity to deliver other services.

I am unable to approve the item designated in Section 13, subsection 4, paragraph b, of the bill which directs the Department of Inspections and Appeals to provide information to the public via the internet relating to inspections, operating costs and FTE positions. Iowa is already a leader in providing families with the information they need to protect

the health and safety of their loved ones. Though I strongly encourage the Department to provide greater transparency, I disapprove this language because some of this data is collected during the survey and certification process and is maintained and controlled by the federal government. Any additional information would add very little benefit to the public but would be expensive to assemble and maintain. The Department has already made much of this information, especially regarding its inspections, part of the public record.

I am unable to approve the item designated in Section 13, subsection 4, paragraph c, of the bill which directs the Department of Inspections and Appeals to continuously solicit input from facilities regulated by the Department to assess and improve its level of collaboration. The Department of Inspections and Appeals currently works with those facilities regulated by the Department in a manner that is consistent with its regulatory duties as prescribed by Iowa law and expect all parties to work together on a regular basis in an honest and straightforward manner.

I am unable to approve the item designated as Section 27 in its entirety. This language directs employees to submit actual receipts for meals and other costs and requires that reimbursement up to the maximum amount shall only be allowed in an amount equal to the sum of the actual receipts submitted. While I agree with the general intent of this section and believe that employees should be reimbursed only for actual expenses, this language would be particularly difficult to administer because similar language has not been consistently required by the Legislature for every state agency or department or for the Legislature's own employees. Accordingly, I have issued Executive Order Thirteen to require the Department of Administrative Services (DAS) to implement a policy that will require every executive department of the Culver-Judge Administration to institute cost-effective, more efficient, and transparent practices that will track reimbursements paid to state employees for meals, travel and other work-related costs.

I disapprove the item designated in Section 30, subsection 3, in the bill because a vehicle depreciation fund at the Department of Transportation does not exist. Therefore, this language would not be workable.

I disapprove the item designated in Section 37 which removes appropriations to the Department of Management for the Grants Enterprise System. I am unable to approve this language because funding for the Grants Enterprise System is now necessary to provide greater transparency for the availability and use of federal American Recovery and Reinvestment Act funds.

For the above reasons, I respectfully disapprove the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 809 are hereby approved this date.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chester J. Culver", with a long, sweeping horizontal line extending to the right.

Chester J. Culver
Governor

cc: Secretary of the Senate
Chief Clerk of the House

CJC:rcs